

MINUTES OF MEETING  
ZONING BOARD OF ADJUSTMENT  
July 10, 2017  
DOCKET 1227

19 Waverton

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Monday, July 10, 2017, at City Hall.

The following members of the board were present:

Mr. Stanley Walch  
Ms. Liza Forshaw  
Ms. Laura Long  
Mr. Daniel Welsh  
Mr. Lee Rottmann

Present were: Mr. William Penney, Building Official, City Planner, Andrea Sukanek, City Attorney, Erin Seele. Mayor Nancy Spewak was also in attendance.

Chairman Walch called the meeting to order at 4:00 PM.

Chairman Walch started the meeting by asking for an approval of the agenda. Seeing no amendments to the agenda all members present approved the agenda as submitted.

Notice of Public Hearing, as follows:

**NOTICE OF PUBLIC HEARING  
ZONING BOARD OF ADJUSTMENT  
CITY OF LADUE, MISSOURI  
DOCKET NUMBER 1230**

Notice is hereby given that the Zoning Board of Adjustment of the City of Ladue, St. Louis County, Missouri, will hold a public hearing on a petition submitted by Chip O'Conner requesting relief from the ruling of the Building Official denying a permit for an addition which would result in the proposed structure being non-conforming which violates Ladue Zoning Ordinance #1175, Section IV-A-(4)(b), V-C-(1)(a), V-C-(1)(b), and IV-D-(7).

The hearing will be held at 4:00 p.m. on Monday, July 10, 2017, at the Ladue City Hall, 9345 Clayton Road.

The hearing will be public and anyone interested in the proceedings will be given the opportunity to be heard.

Pursuant to Section 610.022 RSMo., the Zoning Board of Adjustment could vote to close the public meeting and move to executive session to discuss matters relating to litigation, legal actions and/or communications from the City Attorney as provided under section 610.021 (1) RSMo.

Stanley Walch, Chairman

Zoning Board of Adjustment

Chairman Walch introduced the following exhibits to be entered into the record:

- Exhibit A – Zoning Ordinance 1175, as amended;
- Exhibit B – Public Notice of the Hearing;
- Exhibit C – Permit denial dated March 17, 2017;
- Exhibit D – List of Residents sent notice of meeting;
- Exhibit E – Letter from the resident requesting the variance dated April 2, 2017
- Exhibit F – Entire file relating to the application

Chairman Walch as Mr. Penney why the initial application was denied.

Mr. Penney stated the initial denial was because of a four (4) foot encroachment into the south side yard. The applicant had since submitted revised plans with the addition staying within the existing face of the building.

The Court Reporter administered the Oath to Paul Fendler, architect for the project.

Mr. Fendler stated they had revised plans to maintain the existing encroachment. He described the four ways in which the lot was already non-conforming and stated that moving the encroachment to the other side made it too close to the driveway.

The Court Report administered the Oath to Mr. Bill and Mrs. Liz Gladney, homeowners of 19 Waverton and Mr. Ray Potter, resident at 13 Midpark.

Mr. Gladney expressed their desire to downsize from their current home on Loren Woods. They would like a first floor master and family room. Their addition will be full brick to match existing residence and they will keep the same building line as the existing.

Mr. Potter was not in support of the project. The width of the lot was not a hardship as that is not a unique issue in the Clayton Road Park area. Of 133 homes, 97 have the same issues. It also would set a precedent whereas approval would function as rezoning for that area.

Public Comment Closed

A discussion ensued about the request keeping in line with the existing , non-conforming house.

Ms. Forshaw made a motion to overturn the ruling to Building Official and grant a variance based on the plans submitted dated June 6<sup>th</sup>, 2017.

Ms. Long seconded the motion.

Chairman Walch called for a vote on the proposed motion made. The vote was as follows.

- |                     |           |
|---------------------|-----------|
| Mr. Stanley Walch   | “Approve” |
| Ms. Liza Forshaw    | “Approve” |
| Ms. Laura Long      | “Approve” |
| Ms. Elizabeth Panke | “Approve” |
| Mr. Daniel Welsh    | “Approve” |

There were five (5) votes to approve and therefore the variance was granted.

## DOCKET 1227

DATE OF HEARING June 5, 2017

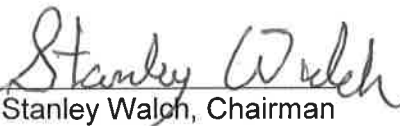
NAME Bill and Liz Gladney

DESCRIPTION OF PROPERTY 19 Waverton

CAUSE FOR APPEAL Relief from the ruling of the Building Official denying a permit for an Addition that would result in the proposed non-conforming structure to encroach into the required side yard which is prohibited per the Ladue Zoning Ordinance #1175, Section IV-D-(8), Section V-C-(1)(a) and Section V-C-(1)(b).

## RULING OF THE BOARD

After a discussion of the facts presented, the Board allowed the matter seeking a variance for a proposed non-conforming structure to encroach into the required side yard which is prohibited per the Ladue Zoning Ordinance #1175, Section IV-D-(8), Section V-C-(1)(a) and Section V-C-(1)(b).to be continued.

  
Mr. Stanley Walsh, Chairman